

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES OAKLEY,

Plaintiff,

-v-

MSG NETWORKS, INC., *et al.*,

Defendants.

No. 17-cv-6903 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a four-page, single-spaced letter from plaintiff Charles Oakley arguing that the hearing on spoliation sanctions, scheduled for December 19, 2024, is unnecessary. Oakley further contends that defendants MSG Networks, Inc., Madison Square Garden Sports Corp., and Sphere Entertainment Group, LLC (collectively, “MSG”) have lost emails for certain custodians from the relevant time period and requests that the Court hold a joint hearing next week to address Oakley’s contemplated motion for spoliation sanctions against MSG.

Oakley’s letter is plainly improper and will not be considered. The Court’s November 25, 2024 order made clear that the parties were simply to submit “an exhibit list and copies of all exhibits and excerpts of deposition transcripts they intend to introduce during [next week’s] hearing.” (Doc. No. 222 at 1.) The Court did not invite further argumentation on whether next week’s hearing was necessary. Indeed, at the November 20, 2024 pre-motion conference, the Court made clear to the parties that the Court would need to hear directly from Oakley to learn what information his counsel conveyed to him regarding the preservation of evidence, assess his credibility, and determine whether he intended to deprive MSG of the lost evidence. (*See generally* Doc. No. 225.)

To the extent Oakley wishes to move for reconsideration of the Court's oral ruling that he must testify at next week's hearing, his letter is dated more than fourteen days after that ruling and is thus untimely under Southern District of New York Local Rule 49.1(b). And to the extent Oakley is indicating his intention to file a motion for spoliation sanctions against MSG, his letter fails to comply with the Court's Individual Rules and Practices regarding pre-motion letters and will not be considered. Accordingly, Oakley's requests are DENIED, and MSG need not respond to Oakley's letter. Furthermore, IT IS HEREBY ORDERED THAT Oakley shall file his December 12, 2024 letter on the public docket.

SO ORDERED.

Dated: December 13, 2024
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation